

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
JONESBORO DIVISION**

KEVIN BENNETT

PLAINTIFF

V.

3:07CV00169 WRW/JTR

DAN LANGSTON,
Sheriff of Greene County, et al.

DEFENDANTS

ORDER

The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge J. Thomas Ray. No objections have been filed. After careful review, the Court concludes that the Proposed Findings and Recommended Disposition should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects.

IT IS THEREFORE ORDERED that:

1. Defendants' Motion to Dismiss (docket entry #29) is GRANTED, and this case is DISMISSED, WITHOUT PREJUDICE, due to Plaintiff's failure to timely and properly comply with the Court's May 14, 2008 discovery Order.
2. The Court CERTIFIES, pursuant to 28 U.S.C. § 1915(a)(3), that an *informa pauperis* appeal from this Order and the accompanying Judgment would not be taken in good faith.

Dated this 19th day of June, 2008.

/s/Wm. R. Wilson, Jr.
UNITED STATES DISTRICT JUDGE